

Systems Planning & Programming
Public Transit Team

FTA Section 5310

Compliance Manual



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INTRODUCTION

The goal of the Section 5310 program aims to improve mobility for seniors and individuals with disabilities by removing barriers to transportation service and expanding transportation mobility options. Toward this goal, FTA provides financial assistance for transportation services planned, designed, and carried out to meet the special transportation needs of seniors and individuals with disabilities in all areas—urbanized, small urban, and rural. The program requires coordination with other federally assisted human service programs to make the most efficient use of federal resources. MAP-21 defines a “senior” as an individual who is 65 years of age or older.

The following information is to assist you in understanding what is required of your agency. The information is not all-inclusive and if further clarification is needed please see your contract or contact the Programs Compliance Officer. For further guidance on the 5310 program please see the 2015 State Management Plan and Policy and Procedures by visiting the UDOT Public Transit Team website at: <http://www.udot.utah.gov/main/uconowner.gf?n=20689302010058122>



REPORTING/PERFORMANCE MEASURES

The purpose of reporting is to ensure that the federal investment is being well maintained, safe, and unbiased in service. The federal government requires that agencies report for the useful life of equipment. At that point, the title will be given to the subrecipient and the lien released. During the useful life period, the subrecipient is responsible for reporting various information regarding expenses, ridership, maintenance, and usage/activity through the course of the year. Reports include:

- ◆ **Quarterly Report**—The quarterly report is a subrecipient's responsibility until the PTT releases the title. As the name implies, these reports are due at the end of each quarter. See due dates in Table below.

Quarterly Report Due Dates		
Quarter #	Date	Report Due Date
Quarter 1	October 1 – December 31	January 15
Quarter 2	January 1 – March 31	April 15
Quarter 3	April 1 – June 30	July 15
Quarter 4	July 1 – September 30	October 15

- ◆ **Surveillance Report**—The surveillance report requires the subrecipient to thoroughly review the vehicle(s) and all accessories (lifts, signage, securements, etc.). The report is generated via PTT Online and must be completed and sent to the Compliance Officer twice a year. See due dates in Table below.

Surveillance Report Due Dates	
Report	Report Due Date
Surveillance Report #1	April 15
Surveillance Report #2	October 15

- ◆ **Vehicle Pre – Pre-Trip Inspections** — The pre-trip inspection should be carried out on a daily basis before the vehicle is placed into service and the a 90-day history should be kept on file. The wheelchair lift should be cycled each day the vehicle is in use (even if the lift will not be used). Opening emergency exits should be completed on a regular basis (minimum every 90 days).
- ◆ **Preventive Maintenance (PM)** — PTT policy requires preventive maintenance to be performed at the intervals shown in the approved maintenance plan. Whenever preventive maintenance is performed, subrecipients are required to complete the preventive maintenance report in PTT Online. The report includes entering the date and mileage when the maintenance was done. PTT Online compares the mileage to the scheduled mileage and provides PTT staff notification if requirements are not met.

REPORTING/PERFORMANCE MEASURES

Minor Accidents/Incidents

The subrecipient is required to enter information into PTT Online and an e-mail alert is sent to the Compliance Officer. The Compliance Officer must then complete the following tasks:

- ◆ Contact the subrecipient and set a deadline for repair (possibly require photos or on-site visit)
- ◆ Follow up on deadline
- ◆ Follow up on insurance proceeds (for totaled vehicles, FTA requires the 80 percent payback if the totaled vehicle payout is above \$5,000).

Serious Accidents/Incidents

The definition of a serious accident as outlined by FTA includes but is not limited to those involving a fatality or any accident that results in serious injury. The definition of a serious incident as outlined by FTA includes, but is not limited to, damaged transit equipment and/or facilities or suspension of regularly scheduled transit service caused by a natural disaster. In the case of a serious accident and/or incident, the subrecipient must contact the PTT Director or any other PTT staff immediately. If an accident involves a total loss of property or a potential lawsuit, the PTT will notify FTA Region VIII. The PTT will complete the same tasks as in the case of a minor accident. An accident reporting form should be available in each vehicle. The form should be filled out at the scene and given to the County Insurance Coordinator.

Accident/Incident information includes:

- ◆ Date of occurrence
- ◆ Time of occurrence
- ◆ Location of occurrence
- ◆ Description of occurrence
- ◆ Copies of witness reports
- ◆ Number of fatalities
- ◆ Number of persons injured
- ◆ Extent of injuries
- ◆ Extent of damages
- ◆ Photographs of damage
- ◆ Copy of police report
- ◆ Copy of insurance information
- ◆ Drug and alcohol test report
- ◆ In case of incident if any assistance is required from UDOT

VEHICLE SURVEILLANCE INSPECTION

DATE: _____

TRANSPORTATION PROVIDER NAME: _____

Make	Vehicle Year	V.I.N. (last 4 digits)	Plate Number	Odometer
Documents kept in vehicle (please check if present) *Registration <input type="checkbox"/> *Insurance Card <input type="checkbox"/> *DMV Inspection Sticker <input type="checkbox"/>				

All items must be inspected. If an item is not applicable to this vehicle, place "N/A" in the adjacent box.

Check ☐ appropriate box P = Pass F = Fail # = number of days to correct failure

EXTERIOR	P	F	#	SAFETY EQUIPMENT	P	F	#	INTERIOR	P	F	#
Body damage			-	Triangles (3)			1	Mirrors			2
Windows			2	First Aid Kit			2	Lights			3
*2 Outside Mirrors			0	Bloodborne Pathogen Kit			3	Horn			2
Reflector/marker/clearance			2	Seat belt cutter			5	Seats			2
*Turn Signals			0	Extra electrical fuses			5	*Seat Belts			0
*Four Way Flashers			0	Fire Extinguisher			2	AC/Heat/Defroster			2
*Tires front 4/32 rear 2/32			0	Rear door buzzer			3	*Wipers			0
*Headlights high and low			0	Exit windows/buzzers			3	Gauges and Indicators			2
*Parking lights			0	Roof Hatch			3	*Brakes (Foot/Parking)			0
*Brake lights			0				3	Cleanliness			2
Cleanliness			2								

SIGNAGE	P	F	#	LIFT	P	F	#	SECUREMENTS	P	F	#
Buckle Up (or equivalent)			5	*Interlocks			0	*Belt (4 or 8 floor)			0
Emergency Exits			3	Level Platform			3	*Lap Belt			0
Lift Operating Instructions			5	Lift Light			1	*Shoulder belt			0
Vehicle Height			5	*Electric Wires (cut, frayed)			0				
Title VI Poster				*Hand Pump			0				
LEP Information Available				Hand Rails on Lift (2)			1				
				Lift cycle counter value =							

Comments and Observations of Inspector:

Items that are ***bolded** may be placed out of service for failing inspection. The vehicle may not be returned to service until defect is repaired and the Agency Administrator is notified of the repairs. Body damage depending on severity should be repaired as soon as possible.

Agency Administrator:

Name: _____

Signature: _____

Inspector:

Name: _____

Signature: _____

This document can be completed by agency personnel and is a tool for you to monitor the maintenance source you are using. For questions, please contact PTT Program Compliance Manager. Inspections are to be performed on April 1 and October 1 and the completed inspection entered into PTT Online at:

<https://www.udot.utah.gov/public/ptt/f?p=131:101:1166169282072515>

DAILY PRE-TRIP INSPECTION

V.I.N. # (Last 4 digits) _____ AM _____ PM _____ Mileage _____

I have personally inspected this vehicle and do hereby certify that all items are safe, repaired or replaced and meet safety standards

Signed: _____ Date: _____

CHECKLIST	PASS	FAIL	PROBLEM / ACTION TAKEN
WALK AROUND INSPECTION: (Set parking brake)			
Observe under vehicle for any leaks or obstructions			
Note any dents, scratches or other damage (tampering)			
Muffler condition and securement			
*Check tire pressures			
*Check tire treads - 2/32" rear - 4/32" front (including spare)			
Wheels – bent, loose or missing lug nuts & mud flaps			
*LIGHTS – head – turn signals – tail – brake – hazard – reverse			
Clearance, marker, boarding, license, interior lights & reflectors			
Doors – driver and entrance			
Adjust mirrors (ability to view rear tires as well as traffic essential)			
OPEN HOOD:			
*Check/fill with correct motor oil			
*Radiator overflow container level			
*Fluids at proper level: Brake Steering			
*Windshield washer fluid			
Battery housing and connections			
Visible drive belts, wires and hoses			
Windshield – condition and cleanliness			
START ENGINE:			
*Transmission fluid level			
*Gauges working			
*Windshield wipers and blades			
*Horn			
*Defroster			
<input type="checkbox"/> Heater <input type="checkbox"/> Air conditioner			
Steering wheel (no more than 2" of play in a 20" wheel)			
*Emergency brake stops free rolling vehicle			
*Wheelchair lift /cycle & locate bar for manual operation			
*Back up beeper			
*Fire extinguisher – correctly charged, dated & secured			
*First aid kit – proper items & replenished			
*Blood pathogen kit – required items			
*3 reflectors: complete and in red box			
Seats & handrails, condition and secure			
*Seat belts – functioning			
*Seat belt cutter – preferably in reach of driver			
*Exit windows, roof hatch functioning (open min. every 90 days)			
Current insurance I.D.			
Current registration & safety inspection sticker			
Vehicle free of loose objects.			
Overall cleanliness of vehicle			
All bolded / asterisked * items must pass or vehicle should not be driven – report pre-trip daily to supervisor. Vehicle should be kept in a secure location and locked every day.			



SELECTING A MAINTENANCE PROVIDER

Assuming that most agencies do not have their own maintenance facility, using an outside vendor becomes the most viable option for the maintenance functions of your fleet. When choosing outside vendors there are important questions to take into consideration:

1. Does the vendor have the capacity to maintain buses?

- ◆ Your vehicles need to be ready for passenger service so a vendor should be prepared to provide maintenance at night or on weekends.
- ◆ Your buses require a different level of inspection and repair than the local resident cars. Can the vendor show any recent history with the maintenance of buses or similar commercial vehicles?
- ◆ Your vehicles need some level of priority over the other drive-in customers.

2. Do they understand the rules that govern regulated vehicles?

The average small bus is certified by the manufacturer to meet approximately 30 of the 53 federal motor vehicle safety standards (FMVSS) covering the body, exhaust, seat belts and other driver control systems.

- ◆ Is the vendor familiar with FMVSS?
- ◆ Are they aware of the regulatory impacts such as ADA?

3. Are the maintenance facilities well equipped?

Today's paratransit buses are fairly sophisticated with electronic engine management systems, LED lights and rivet less body panels. They require a different level of preventive maintenance service and inspection than the automobile. When you review the vendor's proposed site, you may want to:

- ◆ Review the parking and security measures in place. Facilities that are paved, well lit and secured by a fence suffer less problems at night and on weekends.
- ◆ The facilities should be clean, well lit and large enough for the movement of your buses without damage.
- ◆ The facility should have the appearance of a well-managed business. Good technicians will not work in a filthy shop.

4. How will parts and supplies be obtained?

- ◆ Your buses will be very different for those who have never performed regular inspection and maintenance on commercial vehicles. So to, will the parts. The vendor should have some items in storage at the facility or be aware of where they can be obtained.
- ◆ Make sure you understand what the parts cost will be? (A regular industry practice is for your vendor to charge approximately 15% above the direct purchase cost of the part)
- ◆ Establish a limit as to how many times you will be charged for parts replacement on the same bus.
- ◆ Provide the vendor with the phone number of all bus component suppliers.
- ◆ Always ask for your old parts back and/or for a core credit toward return and remanufactured parts.

SELECTING A MAINTENANCE PROVIDER

5. Technicians skills, are they adequate?

There are some actions you can take to better understand the skills of the staff.

- ◆ Pay attention to the technician's uniform. Good technicians do not get filthy anymore.
- ◆ You should see well-organized tools. The less hammers you see the better.
- ◆ Look for arm patches which technicians are proud to wear (ie. ASE, NAPA, etc.)
- ◆ Ask to review a work order with one of the technicians. Check for completeness. (Hours, time charged to the project, and parts should be listed)

Transportation is a big investment for your agency and well-managed transit programs will save you time and money. As you manage your transportation service there should be a set of basic needs and expectations. Some of these are:

- ◆ A written preventive maintenance program will be implemented.
- ◆ Buses are maintained according to chassis, body, and component manufacturer recommended practices.
- ◆ Buses are systematically inspected, serviced, and repaired under local, state, and other regulations that apply.
- ◆ Buses will provide a high threshold of safety and reliability for the passengers.
- ◆ Buses are clean and inviting to passengers.
- ◆ Preventive maintenance program is flexible enough to respond to changes in route, schedule, environmental, and other impacts.
- ◆ Bus fleet is operating at the proper level of fiscal control.
- ◆ Lines of communication will be open and regular daily vehicle issues will be discussed with drivers and maintenance providers.

BUS ACCIDENT / INCIDENT PROCEDURE

All sub-recipients of federal funds in the State of Utah will report serious accidents and incidents to the Utah Department of Transportation Public Transit Team immediately after each occurrence. The Transit Team will then report to the FTA region emergency coordinator.

Immediately following the serious accident or incident, please contact one of the following UDOT Public Transit Team members:

- ◆ Tim Boschert – UDOT Public Transit Program Director – 801-964-4508 or 801-870-4770
- ◆ Jason Green – UDOT Program Manager – 801-907-0340
- ◆ Leone Gibson – UDOT Program Manager—801-718-0798
- ◆ Raymond Earl – UDOT Compliance Manager – 385-209-3776

We recommend an accident reporting kit to be in each vehicle. A sample kit is included in this manual.

If an Accident Occurs:

- ◆ Do not leave the scene.
- ◆ When conditions and/or regulations permits, move onto shoulder or side of roadway to prevent further damage and/or hazards. Place warning signals promptly.
- ◆ Ask someone to summon police and, if needed, medical assistance for anyone who may be injured. Repeat after 5 minutes.
- ◆ Do not administer first aid unless you are qualified to do so.
- ◆ Keep Calm. Be Courteous. Don't argue. Make no statement concerning the accident to anyone except a police officer or your county insurance coordinator.

DO NOT ADMIT FAULT

- ◆ Complete the enclosed Driver Accident Report on the scene and give it to your County insurance Coordinator immediately.
- ◆ Request any witnesses to complete the enclosed Witness Card and give it to your County insurance coordinator.
- ◆ Before leaving the accident scene, check to see that you have all the facts.
- ◆ Use your camera and take pictures of all angles of the scene.

DRIVER'S ACCIDENT REPORT — SAMPLE

Complete this report at the scene of accident and submit it to your Insurance Coordinator immediately upon return to the office. In case of serious accident, telephone your office at once.

Driver Information	
Name	Phone No.
Home Address	
Work Address	
Driver's License #	
Vehicle License #	
Were seat belts worn? <input type="radio"/> Yes <input type="radio"/> No	
Were you injured? <input type="radio"/> Yes <input type="radio"/> No	
If yes – hospital taken to:	
Accident Information	
Date Occurred:	Time:
Location of accident:	
Condition of Road:	Weather:
Describe what happened:(use other side if needed)	
Did a police officer take a report <input type="radio"/> Yes <input type="radio"/> No	
Name of officer:	
Badge Number:	Precinct:
Was a citation issued:	To whom:
Report attached?	
Other Vehicle Information	
Name of Driver:	
Address:	
Vehicle License#	Make/model
Owner of vehicle:	
Insured by:	
Policy #	
Vehicle Damage <input type="radio"/> Yes <input type="radio"/> No	

AMERICANS WITH DISABILITIES ACT (ADA)

Titles II and III of the ADA provide that no entity shall discriminate against an individual with a disability in connection with the provision of transportation service and that:

- ◆ No entity shall discriminate against an individual with a disability in connection with the provision of transportation service.
- ◆ An entity shall not, on the basis of disability, deny to any individual with a disability the opportunity to use the entity's transportation service for the general public, if the individual is capable of using that service.
- ◆ An entity shall not require an individual with a disability to use designated priority seats, if the individual does not choose to use these seats.
- ◆ An entity shall not impose special charges, not authorized by this part, on individuals with disabilities, including individuals who use wheelchairs, for providing services required by this part or otherwise necessary to accommodate them.
- ◆ An entity shall not require that an individual with disabilities be accompanied by an attendant.
- ◆ An entity shall not refuse to serve an individual with a disability or require anything contrary to this part because its insurance company conditions coverage or rates on the absence of individuals with disabilities or requirements contrary to this part.
- ◆ It is not discrimination under this part for an entity to refuse to provide service to an individual with disabilities because that individual engages in violent, seriously disruptive, or illegal conduct. However, an entity shall not refuse to provide service to an individual with disabilities solely because the individual's disability results in appearance or involuntary behavior that may offend, annoy, or inconvenience employees of the entity or other persons.

The law sets specific requirements for vehicle and facility accessibility and the provision of service, including complementary paratransit service (for fixed routes).

The PTT and subrecipient comply with Section 504 of the Rehabilitation Act of 1973 and the ADA by assuring that no individual is discriminated against in connection with the provision of transportation service. Complaints regarding ADA compliance or other grievances may be filed at the local, state, or FTA level. Complaints are first filed at the lowest level and are subsequently filed at higher levels only if the complaints are not resolved.

AMERICANS WITH DISABILITIES ACT (ADA)

The PTT must ensure that subrecipient-purchased or remanufactured vehicles comply with ADA requirements. In the ADA, 49 CFR 37 and 38 contain accessibility standards and specific requirements for the acquisition of accessible vehicles for public and private entities. PTT policy prohibits the purchase with federal funds of any vehicles that do not comply with ADA. Regardless of service type or whether the vehicle is new or used, all vehicles purchased must be ADA accessible. PTT policy prohibits the conversion of ADA-specific vehicles—purchased for 5310 and 5311 uses—to be used as general-purpose vehicles. When purchasing a vehicle through Section 5310 or 5311, strict adherence to the ADA is followed in specifications and procurement of equipment. ADA features must be maintained and operating according to manufacturer's requirements and lift failures should be immediately reported to the PTT.

CIVIL RIGHTS / TITLE VI PLAN

Title VI of the Civil Rights Act of 1964 protects people from discrimination based on race, color, and national origin in programs and activities receiving federal financial assistance. The Federal Transit Administration works to ensure nondiscriminatory transportation in support of our mission to enhance the social and economic quality of life for all Americans.

UDOT adheres to federal civil rights requirements through agency monitoring and administration and the establishment of a Title VI plan. Subrecipients are required to have a current Title VI plan in order to apply for funding.

For further guidance and Title VI Training Resources please see the 2015 State Management Plan and Policy and Procedures and Public Transit Title VI Training Resources by visiting the UDOT Public Transit website at:

<http://www.udot.utah.gov/main/uconowner.gf?n=20689302010058122>

<http://www.udot.utah.gov/main/f?p=100:pg:0:::1:T,V:4242>

PTT ONLINE ALERTS

As described below, three alerts are generated by PTT Online and e-mailed to the Compliance Officer: the low vehicle usage alert, preventive maintenance alert, and accident/incident alert. The goals of these alerts are to quickly identify and correct problems and to identify issues and patterns (consistent issues)

- ◆ Low Vehicle Usage Alert

If the vehicle has been idle for more than seven days, PTT Online sends an email alert to the PTT. The Compliance Officer will review the usage data in PTT Online and compare recent usage to the estimated usage in the funding application. If usage is well below the estimate or the Compliance Officer believes there is an issue, the Compliance Officer will contact the subrecipient to inquire about the lack of vehicle usage and/or updates.

- ◆ Preventive Maintenance Alert

When preventive maintenance is not performed on schedule, an e-mail alert is sent to the Compliance Officer and subrecipient. The Compliance Officer will follow up with the subrecipient to ensure preventive maintenance is performed immediately. The subrecipient is expected to have the necessary maintenance performed immediately and enter the required information into PTT Online.

- ◆ Accident/Incident Alert

The subrecipient is required to enter information into PTT Online and an e-mail alert is sent to the Compliance Officer. The Compliance Officer must then contact the subrecipient and set a deadline for repair (possibly require photos or on-site visit), follow up on deadline and follow up on insurance proceeds

USEFUL LIFE

Useful life indicates the expected lifetime of capital purchases, or the acceptable period of use in service. When the useful life has been reached, the PTT returns the property title or ownership documents to the subrecipient and cancels its lien.

Useful life of vehicles begins on the date the PTT takes possession of the vehicle and continues until the vehicle reaches the useful life minimum criteria outlined in the table below. The useful life minimum refers to total time or miles in revenue service, not time spent stockpiled or otherwise unavailable for regular transit use. The PTT useful life policy revisions will be effective upon document approval. All vehicles procured under the 2012 SMP will be held to the 2012 Useful Life policy.

USEFUL LIFE

Vehicle Types and Useful Life

PTT Category	Photo	Approx. GVWR	Number of Seats	Approximate Length	Useful Minimum Life
A: Large, Heavy-Duty Transit Bus and Articulated Buses		33,000 – 40,000 lbs.	35 – 40+	35 – 40 ft. or greater	12 years or 500,000 miles
B. Medium-Size, Heavy-Duty Transit Bus		26,000 – 33,000 lbs.	25 – 35	30 – 35 ft.	10 years or 350,000 miles
C. Medium-Size, Medium-Duty Transit Bus & Truck Chassis Cutaway Bus		10,000 - 26,000 lbs.	16 – 30	25 – 30 ft.	7 years or 200,000 miles
D. Medium-Size, Light-Duty Bus & Van Chassis Cutaway Bus		10,000 – 16,000 lbs.	12 – 16	20 – 25 ft.	7 years or 150,000 miles
E-1: Small, Light-Duty Bus E-2: Modified Vans E-3: Modified Minivans (33,000 – 40,000 lbs.) E-4: Vans E-5: Minivans E-6: Station Wagons E-7 Sedans		6,000 – 14,000 lbs	3 – 14	E-1: 20 – 22 ft. E-2: < 20 ft. E-3: < 20 ft. E-4 through E-7: < 20 ft.	5 years or 100,000 miles

VEHICLE POLICIES

FTA and the PTT require adherence to the following vehicle “use” policies:

- ◆ Bus modifications (e.g., adding a hitch): All bus modifications require approval from the PTT Director. Typically, special modifications to the bus need to be included in the final specification list prior to construction.
- ◆ Service Animal: If the animal is a service animal, then it is allowed. All other pets are not allowed.
- ◆ Transportation of government officials to government business is allowed. While charter service is not allowed, a Subrecipients may provide up to 80 hours of service for government officials to government-related events.
- ◆ Fees cannot be charged for service, but donations can be requested or a donation box can be located in the vehicle.
- ◆ Lending the vehicle to other agencies: Lending a vehicle is allowed as long as the service and/or routes are not affected.
- ◆ Natural disasters: The vehicle may be used for other purposes during natural disasters.
- ◆ Attendants: Attendants are allowed as needed.
- ◆ School bus service: Utilization of vehicles for school bus service is not allowed by the PTT.
- ◆ CDL: A CDL is required for vehicles carrying more than 15 passengers, including the driver, or vehicles with a GVWR over 26,000 pounds. Bus drivers must also have passenger endorsements for their licenses. Transit, intercity, and motor coach operators must have a passenger vehicle (P) endorsement, while school bus drivers must have both a passenger (P) and a school bus (S) endorsement. Both of these endorsements require a passing score on knowledge and skills tests administered by the state licensing agency or partner institution.

SITE VISITS AND INSPECTIONS

The PTT conducts biennial site visits and inspections of its subrecipients; however, the PTT may perform site visits and inspections on a more frequent basis, if deemed necessary. Reasons for more frequent visits include, but are not limited to, numerous follow-up items on previous visits; complaints regarding service, vehicles, or other items; or frequent PTT Online alerts. Site visits and inspections are performed by the Compliance Officer and include a comprehensive review of the funded activities. Complete inspections of the property on-site are done for 100 percent of the property pieces if the subrecipient has two or less. For subrecipients with more than two pieces of property, pieces are randomly selected and at least 50 percent are inspected; this includes facilities.

To assist the Compliance Officer, the PTT has developed standard forms that include specific questions about equipment and operations. These forms cover ADA; procurement; asset management including use, maintenance, and loss prevention; DBE; and Title VI and EEO. Reviews of subrecipients' reporting and financial management are done via PTT Online and should be done prior to the site visit in coordination with the Program Manager. Any reviews that can be done remotely with the Program Manager should be done prior to the site visit and inspection so findings of these reviews can be discussed at the site visit. Once the subrecipient review is complete, a final report is sent to the subrecipient and Program Manager. Any follow-up items with time frames for responses are identified in this report. It is the Compliance Officer's responsibility to track and verify follow-up items are addressed and documented. All site visit and inspection dates and findings are tracked in PTT Online and summarized in a log.

NON-COMPLIANCE

It is the responsibility of the subrecipient to comply with all federal and state requirements. It is PTT policy to provide prompt notice to subrecipients of any non-compliance issues; the PTT then works with subrecipients to identify corrective action plans. The PTT understands that circumstances may arise that cause non-compliance issues. However, ongoing or repeated issues, failure to correct noted issues in the time allowed, or ignoring PTT direction is not permitted and may result in probation, exclusion from future funding, or confiscation of property. The following outlines the process for non-compliance notification and action for all programs:

1. After 10 days, the Compliance Officer sends an informal e-mail. The Compliance Officer will also document delinquency.
2. After 20 days, the Program Manager sends a formal letter. The letter is included in the subrecipient's file.
3. After 30 days, the PTT Director sends a formal letter. Possible repercussions (at the discretion of the PTT Director) include:
 - a. Probation
 - i. Subrecipient may have to do additional reporting
 - ii. PTT may hold title beyond projected release date until subrecipient becomes and maintains compliance for a specified period of time
 - iii. Subrecipient's ability to receive future funding may be affected
 - b. Confiscation of vehicle
 - c. PTT reserves the right to use all means necessary to ensure compliance, including exclusion from future funding opportunities or current funding deobligation

INCIDENTAL USE/LEASING

The PTT encourages subrecipients to look for incidental use opportunities so long as the incidental use does not interfere with the original property use. PTT policy requires the subrecipient to receive PTT approval prior to allowing incidental use. PTT policy also requires subrecipients to document incidental use and revenues once the use has been approved. In addition to not interfering with the original project and program use, several requirements for incidental use must be met:

- ◆ The subrecipient must maintain continuing control over the property. Incidental use agreements must contain appropriate provisions maintaining the subrecipient's control.
- ◆ The subrecipient must fully recapture all costs related to the incidental use from the non-transit public or private entity, including all applicable excise taxes on fuel for fueling facilities and wear and tear to capital improvements.
- ◆ The subrecipient must use revenues received from the incidental use for capital and/or operating expenses that were or will be incurred to provide the public transportation.
- ◆ Private entities must pay all applicable excise taxes on fuel.

To maintain continuing control over federally funded assets, leasing is not permitted. However, the PTT encourages vehicle coordination with agencies to maximize vehicle usage.

PROPERTY MAINTENANCE

Federally funded property must remain in good operating order at a high level of cleanliness and safety. PTT policy requires a written maintenance plan to be in place and approved prior to property use. These plans should cover all property, including vehicles, facilities, ADA features, and equipment, and should describe a system of periodic inspections and preventive maintenance to be performed at certain defined intervals. Plans must include pre-trip inspection, surveillance inspection, and preventive maintenance inspection requirements. These three inspection types are the minimum requirements; additional inspections may be required. The PTT will either provide a maintenance plan based on manufacturer's recommendations or the subrecipient can submit their own plan for approval. If the subrecipient opts to use a PTT-provided plan, the subrecipient will be responsible for submitting all manufacturer requirements to the PTT for plan development. All plans must meet the minimum manufacturer requirements for maintenance.

PTT policy requires subrecipients to have a system in place to track property warranties, identify warranty claims, record claims, and enforce warranty claims against the manufacturer. Subrecipients are responsible for ensuring that maintenance costs covered by warranties are recovered from the manufacturer and are not submitted for reimbursement.

Subrecipients are required to maintain satisfactory records regarding the maintenance of property, including warranty claims. All vehicle maintenance inspections and services must be reported by subrecipients in the PTT Online system. Facility and equipment maintenance documentation must be available at any time to the PTT.

VEHICLE DISPOSAL

UDOT will release the lien at its discretion when the useful life and disposition standards have been met and any non-compliance findings are resolved. The federal interest expires when the property reaches its useful life and the vehicle value is less than \$5,000. These requirements exist to protect the federal interest and to maintain continuing control over property

Selling Prior to Meeting the Useful Life

If a subrecipient desires to dispose of the property before it meets the end of its useful life, and an alternative use cannot be found as described above, the property may be sold with the PTT and FTA approval. The subrecipient must submit a request to the PTT. If a sale is approved by the PTT, proceeds do not need to be returned to the PTT or FTA; however, all proceeds must continue to be used for public transportation purposes within the program from which it originated.

The UDOT PTT will apply a straight-line depreciation formula to vehicles to determine the depreciated value of Federally funded vehicles.

Example Straight-line Depreciation			
Cost (purchase price)	\$48,000		
Salvage (estimated value)*	\$5,000		
Life (years in service)	7		
Depreciation ((cost-salvage) / life)	\$6,143.00		
yr	vehicle value	vehicle de- preciation	depreciat- ed value
1	\$48,000	\$6,143	\$41,857
2	\$41,857	\$6,143	\$35,714
3	\$35,714	\$6,143	\$29,571
4	\$29,571	\$6,143	\$23,428
5	\$23,428	\$6,143	\$17,285
6	\$17,285	\$6,143	\$11,142
7	\$11,142	\$6,143	\$4,999

VEHICLE DISPOSAL

If the subrecipient receives insurance proceeds when the property has been lost or damaged by fire, casualty, or natural disaster, the subrecipient must apply those proceeds to the cost of replacing the property or return to the PTT an amount equal to the remaining federal interest in the property.

Selling After the Useful Life

Prior to selling the vehicle, the subrecipient must notify the PTT of its intent. The PTT will work with the subrecipient to identify the value of the vehicle. The PTT will apply the straight-line depreciation formula above to assist in determining the depreciated value of Federally funded vehicles.

If the subrecipient chooses to sell the vehicle, and the market value of the vehicle is \$5,000 or more, the PTT requires reimbursement of the proportionate share (80% Fed/20% Local) of the net proceeds from the sale. Reimbursed proceeds will go back into the grant program from which the vehicle funds were utilized. The funds will then be shown in future grant applications. FTA has no federal interest in vehicles with a fair market value of less than \$5,000.

TRAINING RESOURCES

UDOT Training Library

Items are available for loan – please contact the UDOT PTT Compliance Officer for an updated list.

URSTA (Utah’s Urban, Rural, Specialized Transportation Association)

www.ursta.org

URSTA provides conferences and trainings around Utah as well as scholarships sponsored by RTAP funds available for transit related training in and out of state.

Federal Transit Administration

www.fta.dot.gov

UDOT Public Transit Team

www.udot.utah.gov/publictransit

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